

Call to Action	Accountable Bodies
<p>Eliminate Incarceration for Minor Offenses Municipal courts shall not incarcerate individuals for minor, nonviolent offenses. They should also not issue "failure to appear" warrants on such charges, as these often lead to incarceration.</p>	<p>PP. 29-30 & 91-93 <i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts</i></p>
<p>Establish Alternative Sentencing Options Municipal courts shall establish effective alternatives to jail time, fines, and fees for violations of municipal ordinances, including payment plans and community service.</p>	<p>PP. 29-30 & 99-100 <i>Accountable body(ies): Missouri Department of Revenue, Missouri Supreme Court, 21st Judicial Circuit, Missouri Legislature</i></p>
<p>Treat Nonviolent Offenses as Civil Violations Municipalities shall treat minor nonviolent offenses as civil violations rather than criminal cases.</p>	<p>PP. 29-30 & 91-93 <i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts, Missouri Department of Revenue, Missouri Legislature</i></p>
<p>Collect Municipal Court Debts Like Civil Debts Municipal courts shall collect debts in a manner consistent with other civil debts.</p>	<p>PP. 29-30 & 91-93 <i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts, Missouri Department of Revenue, Missouri Legislature</i></p>
<p>Create Community Justice Centers We strongly recommend that municipalities institute some form of community justice center that operates in conjunction with the municipal court for individuals charged with traffic violations and other types of violations who are unable to pay or otherwise in need. This community-based, municipal justice approach could include case management and social work services, providing judges and prosecutors with a broad range of alternative sentencing options (such as community service, community restitution, community mediation, and access to social services) and could help coordinate and cultivate new community service alternatives, as now required by law.</p>	<p>PP. 29-30 & PP. 99-100 <i>Accountable body(ies): Missouri Department of Revenue, Missouri Supreme Court, 21st Judicial Circuit, Missouri Legislature, Circuit Courts</i></p>

<p>Inform Defendants of Right to Counsel Municipal courts shall inform all defendants of their right to counsel and must obtain an informed waiver if defendants choose to proceed pro se. If a defendant requests counsel but cannot afford representation, the court shall appoint an attorney when constitutionally or statutorily required. Municipal courts shall provide attorneys for all minors and in additional instances where doing so is consistent with their policies.</p>	<p>PP. 30-32 Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts</p>
<p>Assign Public Defenders for Criminally-Charged Minors Minors charged with a criminal offense with jail as a potential sentence shall be assigned a public defender.</p>	<p>PP. 30-32 Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts</p>
<p>Train Municipal Court, Jail, and City Government Employees in Constitutional Rights All municipal court, jail, and city government employees shall receive annual cultural bias training and training on how to protect the constitutional rights of residents and defendants and on how to effectively administer courts. Each employee must sign a written acknowledgement upon completion of training. This training shall ensure that personnel adequately understand that the following apply to their activities and duties:</p> <ul style="list-style-type: none"> • All relevant administrative rules of the Missouri Supreme Court, the applicable judicial circuit court, and the municipal court. • All constitutional and statutory procedural rights afforded to citizens. • All other constitutional protections for citizens, including the requirements that: Consistent with the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, municipal courts shall not hold a person in custody after an arrest because the person is too poor to post a monetary bond or bail payment. Municipal courts shall not hold a person in jail for 	<p>PP. 30-32 & 86-88 Accountable body(ies): Principal actors in the system of municipal governance (e.g., municipal officials, police officers, prosecutors, municipal court judges, municipal court personnel), Municipal Courts, 21st Judicial Circuit Court, Office of State Court Administration, Missouri Supreme Court</p>

<p>nonpayment at proceedings initiated by the municipality without a meaningful inquiry into the person's ability to pay (including notice and an opportunity to present evidence) and without the assistance of counsel or an informed waiver of assistance.</p> <p>Municipal courts shall provide all inmates held in any municipal jail with a toothbrush, toothpaste, hand soap, shower access, reasonably sanitary surroundings, exercise, reading materials, adequate medical care, and nutritious meals. Feminine hygiene products shall be provided to inmates upon request.</p> <p>No person shall be charged any money for any time spent in jail or for the provision of basic needs while in jail.</p>	
<p>Prevent Conflicts of Interest Among Judges Municipal judges shall be prohibited from engaging in municipal court practice in the county in which they serve as a municipal judge.</p>	<p>P. 32 <i>Accountable body(ies): Missouri Supreme Court, Missouri Legislature, Presiding Judge of the 21st Judicial Circuit, Municipal Courts, The Missouri Bar</i></p>
<p>Prevent Conflicts of Interest Among Prosecutors Municipal prosecutors shall be prohibited from representing criminal defendants in municipal courts within the county in which they serve as a prosecutor.</p>	<p>P. 32 <i>Accountable body(ies): Missouri Supreme Court, Missouri Legislature, Presiding Judge of the 21st Judicial Circuit, Municipal Courts, The Missouri Bar</i></p>
<p>Consolidate Municipal Courts The Missouri Supreme Court shall take direct jurisdiction of municipal court functions through the associate circuit court and consolidate into an appropriate number the municipal courts for the purpose of the efficient administration of justice.</p>	<p>PP. 33-34 <i>Accountable body(ies): Municipalities, Municipal organizations (e.g., 24:1), Presiding judge of 21st Judicial Circuit, Missouri Supreme Court (under Article V of MO Constitution), Missouri Legislature, Federal Government</i></p>

Reform School Discipline Policies

Reform policies and practices that disproportionately impact youth of color and students with disabilities and further compromise their ability to thrive and succeed:

- Reform rules pertaining to school disproportionality of behavior referrals, suspensions, expulsions, special education, advanced courses, etc. and ensure that multitiered levels of support are in place to prevent disproportionality and systems are created to monitor and create accountability.
- Eliminate the option for out- of-school suspensions and expulsions for students in prekindergarten through 3rd grade.
- Update school discipline policies to align with positive youth development and restorative justice frameworks.
- School personnel, where appropriate, should work collaboratively with parents, students, and community organizations, including law clinics and legal service organizations to develop alternative interventions for different types of behavior
- Mandate annual cultural responsiveness and anti-racism professional development training for teachers and staff – including teachers, staff, community partners and law enforcement officers in schools (i.e. School Resource Officer – SRO).
- Ensure that any school-based law enforcement officers’ roles focus on improving school safety while reducing inappropriate referrals to law enforcement.
- Create a public reporting system for discipline data and alternative education placements. Ensure that data can be disaggregated by misbehavior type, age, gender, race/ethnicity, date of incident and response. For each student referred to alternative education, data collection should also include alternative service provider name, attendance, actual services provided, and graduation.

All data should be carefully reviewed for

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Accountable body(ies): DESE, Missouri Legislature, Missouri Courts, Governor, Local School Districts

<p>disproportionality with special attention given to: (1) high schools where suspension and expulsion rates and consequences can be high; (2) disparities in suspensions and services for African American students, especially boys; (3) prevention and de-escalation of conflict, especially between students and teachers</p> <ul style="list-style-type: none"> • Juvenile court, municipal court, and related staff and service providers should be trained on educational rights issues, anti-bias, and cultural responsiveness and ensure court-involved, court-supervised, and/or state-placed youth are provided with appropriate educational services and supports, including change-of-placement reviews, special education services, and other supports. To ensure accountability and enforcement, create the Missouri Youth Justice Ombudsman Office. • Mandate training for school personnel and partnering community-based organizations on the needs and legal and constitutional rights of students, as well as resources available for students. 	
<p>Fund Existing and New Laws The State Legislature and/or Supreme Court shall provide adequate funding for enforcement of existing and new laws relating to municipal courts and governance.</p>	<p>PP. 70-71 <i>Accountable body(ies): Missouri Legislature, Missouri Supreme Court</i></p>
<p>Formalize and Standardize Court Documenting Procedures All municipal courts shall explicitly establish formal and uniform systems of documentation and record keeping at every stage of defendants' court involvement. Whenever possible and appropriate, such documents and records shall be available to defendants.</p>	<p>PP. 70-71 <i>Accountable body(ies): Municipal courts, Presiding judge of 21st Judicial Circuit, Office of State Court Administration, Missouri Supreme Court</i></p>
<p>Clearly Define Municipal Court Procedures All operating procedures of municipal courts shall be clearly defined and followed, and all staff shall be trained in those procedures.</p>	<p>PP. 70-71 <i>Accountable body(ies): Municipal courts, Presiding judge of 21st Judicial Circuit, Office of State Court Administration, Missouri Supreme Court</i></p>

<p>Eliminate Sharing of Municipal Files To limit inappropriate sharing of information, all municipal courts and municipal prosecutors shall maintain separate files.</p>	<p>PP. 70-71 Accountable body(ies): Municipal courts, Presiding judge of 21st Judicial Circuit, Office of State Court Administration, Missouri Supreme Court</p>
<p>Conduct Annual Municipal Court Audits Annual audits of municipal courts shall be implemented, and municipal courts shall be required to deliver copies of case records and documents to the Office of State Courts Administrator in compliance with audit requests.</p>	<p>PP. 70-71 Accountable body(ies): Municipal courts, Presiding judge of 21st Judicial Circuit, Office of State Court Administration, Missouri Supreme Court</p>
<p>Ensure Staffing of Annual Court Audits The Supreme Court shall consider temporarily assigning additional judges or administrative personnel to assist with the annual audit of municipal courts.</p>	<p>PP. 70-71 Accountable body(ies): Missouri Supreme Court</p>
<p>Create a Municipal Courts "Bill of Rights" Residents shall be informed of their rights and of municipal court procedures via a written "bill of rights" that is drafted, established, and approved by the applicable Missouri circuit court and delivered with every ticket and via signage posted at each location where municipal court meetings are held.</p>	<p>PP. 80-81 Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts</p>
<p>Communicate Rights to Defendants in Person Municipal judges, clerks, and attorneys shall inform residents of municipal court procedures and their constitutional or other procedural rights as defendants at all court appearances and prior to adjudication of their cases.</p>	<p>PP. 80-81 Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts</p>
<p>Provide Defendants with Clear Written Notice of Court Hearing Details Municipal courts shall provide all defendants with written notice of the time, date, and location of any court hearing they must attend. If a municipal court must change the time, date, or location of any court session, notice must be provided in writing at least 14 days prior to the original court date.</p>	<p>PP. 80-81 Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts</p>

<p>Open Municipal Court Sessions Municipal court sessions shall be open and accessible to the public, including children.</p>	<p>PP. 80-81 <i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts</i></p>
<p>Inform Defendants of Right to Counsel Municipal courts shall inform all defendants of their right to counsel and must obtain an informed waiver if defendants choose to proceed pro se. If a defendant requests counsel but cannot afford representation, the court shall appoint an attorney when constitutionally or statutorily required. Municipal courts shall provide attorneys for all minors and in additional instances where doing so is consistent with their policies.</p>	<p>PP. 80-81 <i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts</i></p>
<p>Assign Public Defenders for Criminally-Charged Minors Minors charged with a criminal offense with jail as a potential sentence shall be assigned a public defender.</p>	<p>PP. 80-81 <i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts</i></p>
<p>Prevent Conflicts of Interest Among Judges Municipal judges shall be prohibited from engaging in municipal court practice in the county in which they serve as a municipal judge.</p>	<p>PP. 82-83 <i>Accountable body(ies): Missouri Supreme Court, Missouri Legislature, Presiding Judge of the 21st Judicial Circuit, Municipal Courts, The Missouri Bar</i></p>
<p>Prevent Conflicts of Interest Among Prosecutors Municipal prosecutors shall be prohibited from representing criminal defendants in municipal courts within the county in which they serve as a prosecutor.</p>	<p>PP. 82-83 <i>Accountable body(ies): Missouri Supreme Court, Missouri Legislature, Presiding Judge of the 21st Judicial Circuit, Municipal Courts, The Missouri Bar</i></p>
<p>Apply Conflict-of-Interest Rules Universally The Missouri Supreme Court shall not exempt municipal court personnel from its conflict-of-interest rules.</p>	<p>PP. 82-83 <i>Accountable body(ies): Missouri Supreme Court, Missouri Legislature, Presiding Judge of the 21st Judicial Circuit, Municipal Courts, The Missouri Bar</i></p>

<p>Prevent Targeting and Collusion in the Municipal Governance System The Legislature and the Supreme Court shall create rules to require the principal actors in the entire system of municipal governance (municipal officials, police officers, prosecutors, municipal court judges) to sign an annual code of ethics that prohibits targeting or collusion.</p>	<p>PP. 82-83 <i>Accountable body(ies): Missouri Supreme Court, Missouri Legislature</i></p>
<p>Notify Parents of Detained Minors A parent, guardian, or caretaker of a minor placed in detention must be notified within 4 hours of their child being placed in detention.</p>	<p>PP. 86-88 <i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts</i></p>
<p>Change Rules for Municipalities Holding Defendants for Other Municipalities A municipality shall not hold a defendant for another municipality for longer than 4 hours for a non-violent offense.</p>	<p>PP. 86-88 <i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts</i></p>
<p>Provide Medical Services for People in Custody All municipalities shall develop and implement an operating plan to provide necessary medical services, including mental health services, for all persons in custody.</p>	<p>PP. 86-88 <i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts</i></p>
<p>Eliminate Punitive Impounding of Vehicles In the event of arrest, municipal courts shall allow owners of legally-compliant vehicles a reasonable number of hours to have their vehicle moved by a licensed and capable driver in lieu of impounding the vehicle as a punitive measure. Penalties associated with immediate impoundment are disproportionately burdensome on poor and impoverished residents and are not essential to municipalities' public safety or justice interest.</p>	<p>PP. 86-88 <i>Accountable body(ies): Missouri Department of Revenue, Missouri Supreme Court, 21st Judicial Circuit, Missouri Legislature</i></p>
<p>Close Records of Non-Violent Offenses by Minors All non-violent offenses by minors shall be treated as closed juvenile records.</p>	<p>PP. 91-93 <i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts, Missouri Department of Revenue, Missouri Legislature</i></p>

<p>Expunge Old Convictions of Non-Repeat Offenders</p> <p>All municipal convictions of non-repeat offenders shall be expunged after a defined period of time, predetermined by the Missouri Supreme Court.</p>	<p>PP. 91-93</p> <p><i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts, Missouri Department of Revenue, Missouri Legislature</i></p>
<p>Cancel “Failure to Appear” Warrants</p> <p>All "failure to appear" warrants shall be withdrawn and cancelled.</p>	<p>PP. 91-93</p> <p><i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts, Missouri Department of Revenue, Missouri Legislature</i></p>
<p>Develop New Process to Review and Cancel Outstanding Warrants</p> <p>The current outstanding arrest warrant review and cancellation process is inefficient and should be replaced with a more effective and possibly electronic system for identifying those warrants and right-sizing debts based on a defendant's ability to pay.</p>	<p>PP. 91-93</p> <p><i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts, Missouri Department of Revenue, Missouri Legislature</i></p>
<p>Schedule Regular Warrant Reviews</p> <p>Municipalities should schedule regular reviews of outstanding arrest warrants, to effectively address cases where such warrants have become especially numerous.</p>	<p>PP. 91-93</p> <p><i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts, Missouri Department of Revenue, Missouri Legislature</i></p>
<p>Determine Defendants' Ability to Pay</p> <p>To keep from assessing a fine or fee that a defendant simply cannot afford, municipal courts shall determine a defendant's ability to pay at the defendant's first court hearing.</p>	<p>PP. 91-93</p> <p><i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts, Missouri Department of Revenue, Missouri Legislature</i></p>
<p>Assess Ability to Pay at Nonpayment Hearings</p> <p>Municipal courts shall inquire about defendants' ability to pay in any subsequent hearing regarding nonpayment.</p>	<p>PP. 91-93</p> <p><i>Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts, Missouri Department of Revenue, Missouri Legislature</i></p>

<p>Consider Payment Plans and Fine Revocation The Supreme Court shall provide policies to interpret Missouri rules and statutes that require courts to consider payment plans or fine revocation where defendants’ nonpayment of fines was not the result of intentional refusal to obey the court’s orders or a failure to make a good faith effort towards payment broadly, especially when administering warrant recall programs.</p>	<p>PP. 91-93 Accountable body(ies): Missouri Supreme Court, 21st Judicial Circuit, Municipal Courts, Missouri Department of Revenue, Missouri Legislature</p>
<p>Provide Municipal Court Support Services Municipal courts shall retain the services of dedicated personnel (e.g., social workers, community service coordinators, through a community justice center or otherwise) for the provision of social services, diversion options, and other alternatives to traditional sentencing to all municipal defendants who choose or are determined to require such services.</p>	<p>PP. 99-100 Accountable body(ies): Missouri Department of Revenue, Missouri Supreme Court, 21st Judicial Circuit, Missouri Legislature</p>
<p>Appoint Special Prosecutor in Use of Force Cases Short-Term In the interim (until the previous call is adopted) Missouri courts having criminal jurisdiction over prosecutions shall interpret the Missouri statute that governs the appointment of special prosecutors as requiring the appointment of a special prosecutor where the court believes that there is even an appearance that the prosecuting attorney is “interested.”</p>	<p>PP. 64-66 Accountable body(ies): Missouri Supreme Court, Circuit Courts</p>